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**UNITED STATES DISTRICT COURT**

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**EASTERN DISTRICT OF TEXAS**

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SHAUNDELLE DONTIA DIAL,

Plaintiff,

*versus*MEDICAL STAFF, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:20-CV-148

**ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORTS AND RECOMMENDATIONS**

Plaintiff Shaundelle Dontia Dial, a federal prisoner previously confined at the United States Penitentiary in Beaumont, Texas, proceeding *pro se* and *in forma pauperis*, filed this civil action pursuant to the Federal Tort Claims Act (FTCA) and *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), against Nurse Lahaye, Nurse Hays, Nurse May, Nurse Briggs, Physician Assistant Lyn, Health Services Administrator Edwards, SIS Cordea, and Warden Shults.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of this court. On November 24, 2020, the magistrate judge recommended dismissing Plaintiff's FTCA claims pursuant to 28 U.S.C. § 1915(e). On May 1, 2023, the magistrate judge recommended dismissing the *Bivens* claims pursuant to Federal Rule of Civil Procedure 4 and Federal Rule of Civil Procedure 41(b) due to Plaintiff's failure to provide the court with Defendants' full names and addresses for service. To date, the parties have not filed objections to the reports.

The court received and considered the Reports and Recommendations of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct. Because the statute of limitations would bar Plaintiff from filing a new civil action concerning the events at issue in this action, the court will reinstate the *Bivens* claims if Plaintiff provides Defendants' full names and addresses for service within thirty days after the judgment is entered.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Reports and Recommendations of United States Magistrate Judge (#15 and #35) are **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED at Beaumont, Texas, this 8th day of June, 2023.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE